

REMARKS / DISCUSSION OF ISSUES

Claims 1-13 are pending in the application. Claims 1-13 are amended for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include amending dependent claims to begin with "The" as well as correcting certain informalities noted upon review of the claims. Claims 1-13 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

The Office Action rejects claims 1-13 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0079225 to Peising ("Peising") in view of U.S. Patent Publication No. 2003/0200554 to Noetsele ("Noetsele"). The rejection of claims 1-13 is respectfully traversed. It is respectfully submitted that claims 1-13 are patentable over Peising in view of Noetsele for at least the following reasons.

It is undisputed that Peising does not teach or suggest "a timebase is included in the broadcast signal." Clearly, since Peising does not teach or suggest that a timebase is included in the broadcast signal, it can not teach or suggest, pausing a received timebase.

Noetsele is cited to provide that which is admitted missing from Peising, however, it is respectfully submitted that reliance on Noetsele is misplaced.

Noetsele shows a system wherein the delivery of a video stream including enhanced content is controlled by the distributor of the content through use of a media control manager (MCM 13, see, FIG. 3, paragraphs [0035]-[0036]). In operation, a content provider 11 transmits the enhanced content to the MCM. The video stream includes a unified content code (UCC), see, paragraph [0031]). The UCC "includes a timestamp that indicates the timing of that UCC relative to the start of the video stream." (See, paragraph [0034].)

However, similar as other systems described in present application, Noetsele relies on the distributor of the video stream, for controlling delivery of the enhanced

content. Specifically, Noetsele utilizes a traffic analyzer to monitor the UCC codes provided by the content provider, and to provide trigger signals for the end user devices (set-top box (STB) 34). (See, paragraph [0039].) When no UCC codes are present due to an interruption in the video stream, the traffic analyzer stops a trigger generator from generating triggers for the enhanced content. The trigger generator may also transmit a signal to the STB's to disable play-out of the enhanced content.

While the Noetsele's content distributors "traffic analyser also synchronises the clock used by the trigger generator for the timed trigger broadcasting" (see, paragraph [0038]) and also "maintains a clock that is synchronised to the timestamps contained in the UCCs" (see, paragraph [0040]), Noetsele does not pause a received timebase. In fact, Noetsele does not teach or suggest pausing any timebase and instead utilizes the system of triggers for synchronizing the enhanced content. However, because the triggers are provided by the content distributor, there are times when even a disabling signal sent from the distributor to the STB will be received by the STB too late to avoid executing the enhanced content.

As noted in the present application, "[t]he conventional receiver will therefore execute the [enhanced content] event 304 during the advertisement 302, because the interactive application is controlled to execute that event 304 from the timebase (which is still running)." (See, present application, page 8, lines 3-10.)

It is respectfully submitted that Peising in view of Noetsele, does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 8 which, amongst other patentable elements, recites (illustrative emphasis provided):

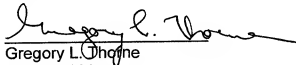
receiving, by an end user device, a broadcast signal,
the broadcast signal including a timebase, monitoring
the broadcast signal for an identification signal, and
pausing the received timebase if the identification
signal is not present.

It is respectfully submitted that pausing a received timebase if the identification signal is not present, is nowhere disclosed or suggested in Peising and

Noetsele, alone or in combination. Accordingly, it is respectfully submitted that independent claims 1 and 8 are allowable. In addition, claims 2-7 and 9-13 are allowable at least because they depend from independent claims 1 and 8, as well as for the separately patentable elements contained in each of the dependent claims.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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